IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 6TH DECEMBER 2006 / 15TH AGRAHAYANA 1928

Bail Appl..No. 7065 of 2006()

CMP.3930/2006 of J.M.F.C.,NADAPURAM
CR.NO.41/06 OF NADAPURAM EXCISE RANGE.

.....

APPLICANT/ACCUSED

ASOKAN, S/O. KUNHIKKANNAN,
KUZHIKKALI POYIL HOUSE, EDACHERI.

BY ADV. SRI.R.K.MURALEEDHARAN

RESPONDENT: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
EXCISE INSPECTOR, NADAPURAM,
THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 06/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

- - - - - - - - - - - - - - - - - -

BAIL APPLICATION NO.7065 OF 2006

- - - - - - - - - ---------- - - - - -

DATED THIS THE 6TH DAY OF DECEMBER, 2006

O R D E R

In this Petition filed under Sec.439 Cr.P.C. the petitioner who is the accused in Cr.No.41/06 of Nadapuram Excise Range for an offence punishable under Section 55(a) of the Abkari Act for having been found in possession of 24 bottles (375ml each) of IMFL on 6.11.2006, seeks his enlargement on bail. The petitioner surrendered on 14.11.2006.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner with effect from 14.12.2006. Accordingly, the petitioner is directed to be released on bail with effect from 14.12.2006 on his executing a bond for Rs.20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M., Nadapuram and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

3. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

dsn